



## **RYDE TOWN COUNCIL**

# **EQUALITY AND DIVERSITY POLICY**

**Approved 17 May 2021**

## 1. INTRODUCTION

Ryde Town Council is an equal opportunities employer and as such it is committed to equality of opportunity for all and to provide a service which is free from unfair and unlawful discrimination. The Equality Act 2010 came into force in October 2010 and covers a prescribed set of protected characteristics that would ensure the Town Council meets this commitment at all times. The advancement of equality through a public sector equality duty applies equally to all town and parish councils.

The Town Clerk has responsibility for implementing and monitoring all Equality and Diversity in Employment Policy and, as part of this process, all personnel policies and procedures are administered with the objective of promoting equality of opportunity and eliminating unfair or unlawful discrimination.

The Town Council will always aspire to ensure that no applicant, or member of staff receives unfair treatment on the grounds of age, race, disability, marriage / civil partnership, pregnancy or maternity, religion or belief, sex or sexual orientation, gender reassignment, or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance. It also seeks also to ensure that no person is victimised or subjected to any form of bullying or harassment at any time.

Compliance with all areas of Equality and Diversity would benefit all individuals within the Town Council as it seeks to develop the skills and abilities of its people whilst eliminating any discrimination and providing equality of opportunity for all. Individuals at all levels have a responsibility to treat others with dignity and respect. The personal commitment of every employee to this policy and application of its principles are essential to eliminate discrimination and provide equality throughout Ryde Town Council.

## 2. PURPOSE

The purpose of this Policy is to provide equal opportunities to all employees, partners, contractors and service users. The Town Council is committed to promoting equality and diversity, providing an inclusive and supportive environment for all. In the implementation of this policy the Town Council will:

- Ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- Promote diversity and equality and value the contributions made by individuals and groups of people from diverse cultural, ethnic, socio-economic and distinctive backgrounds.

- Challenge inequality and less favourable treatment wherever practicable.
- Promote greater participation of under-represented groups by encouraging positive action to address inequality, promote an environment free of harassment and bullying on any grounds in relation to all staff, Councillors, contractors and visitors attending the Council's offices or meetings.

The task of promoting social inclusion, tackling discrimination and encouraging equal opportunities are key issues for Ryde Town Council and the Council is committed to:

- Eliminating unlawful discrimination, harassment, bullying and victimisation
- Advancing equality of opportunity between different groups
- Fostering good relations between different groups

### **3. COMMITMENT TO EQUALITY AND DIVERSITY**

The Town Council is committed to Equality and Diversity and to the vision of improving the quality of life for town residents and visitors. It is committed to providing equal opportunities in employment and to avoiding any unlawful discrimination for service users. The policy is intended to assist the Town Council in putting this commitment into practice and compliance should ensure that all employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities not just in employment but throughout the community. The Town Council therefore aims to be:

- Accessible
- Accountable
- Approachable
- Fair
- Inclusive
- Proactive
- Professional
- Responsible
- Transparent

Ryde Town Council is committed to achieving equality of opportunity and valuing diversity in all aspects of its work:

- a) Through the delivery of our services to the community by ensuring that within reason, these services are accessible to all and that we fully recognise the diversity of people's needs; and
- b) In the Town Council's leadership role, working with partners to promote the importance of treating every individual with dignity and respect.

## 4. SCOPE OF THE POLICY

This policy is designed to value diversity and to ensure equality of opportunity and access to services and that no one receives less favourable treatment on the grounds of:

- Race (i.e., colour, ethnic or national origin, nationality or citizenship).
- Gender reassignment
- Disability
- Gender
- Sexual orientation
- Age
- Religion or belief
- Caring for others
- Trade Union or political activities
- Pregnancy and Maternity
- Marriage and Civil Partnership

This list is not exhaustive.

## 5. OBJECTIVES OF THE POLICY

To improve delivery, information and access to services we will:

- Ensure all employees, contractors and users of our services are informed about our Equality and Diversity Policy.
- Apply equal opportunities principles to work undertaken for the council by external contractors, other organisations in receipt of council funding and in work with our partners. All bidders wishing to provide goods and services to and on behalf of the Town Council are required to satisfy the Council that they meet a minimum requirement in respect of Equality and Diversity practice as set out in the commissioning/procurement documents.
- Rectify any elements of our work which have the potential for discrimination and prejudice.

To promote equality and diversity with other partners we will:

- Promote tolerance and respect between diverse groups and individuals.
- Acknowledge and celebrate, wherever possible, the variety of lifestyles and cultures within Ryde.
- Challenge all forms of discrimination within the Town Council, within Town Council facilities and in the wider community.

- Support the development of communities and assist them in challenging discrimination, harassment, bullying and violence.

All members of staff and Councillors remain personally responsible for ensuring that they act within the law. The Town Clerk is responsible for ensuring that staff perform their duties in a lawful manner and that proper training and support is provided accordingly. In certain circumstances the Town Council could be vicariously liable for actions carried out by staff purportedly in the Town Council's name. Any member of staff or Councillor may be personally liable if, whilst on Council business and despite guidance and training from the Council, they behave illegally in respect of the Equality Act 2010.

## 6. EMPLOYMENT LAW REGARDING DISCRIMINATION

It is unlawful to discriminate directly or indirectly in recruitment or employment because of any of the protected characteristics.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will also not discriminate against or harass any member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to anybody using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede people from accessing a service.

## 7. TYPES OF UNLAWFUL DISCRIMINATION

There are seven areas of discrimination that are deemed unlawful:

- Direct Discrimination is where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.
- Indirect Discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

- Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- Associative Discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- Perceptive Discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.
- Third-Party Harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.
- Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

## **8. MONITORING AND REVIEW**

This policy will be monitored periodically by senior officers and will be updated in accordance with any changes in law.

If changes are required, the amended policy will be presented to Full Council and following approval, it will be implemented.

## **9. EMPLOYMENT OBLIGATIONS**

As an equal opportunity employer Ryde Town Council is committed to ensuring within the framework of the law that all of the Town Council's workplaces are free from all unlawful or unfair discrimination.